

**LEBOEUF, LAMB, GREENE & MACRAE, L.L.P.**

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

**FAX TRANSMISSION**

**ONE GATEWAY CENTER  
420 FORT DUQUESNE BLVD., SUITE 1600  
PITTSBURGH, PA 15222-1437  
TELEPHONE: (412) 594-2300  
FAX: (412) 594-5237**

SEMS-RM DOCID # 1177637

**IF ANY TRANSMISSION PROBLEMS: (412) 594-2300****From: Patrick H. Zaepfel****Date: September 22, 2000****ID#: 4158****Page: 1 of 3**

**If you have any questions regarding this transmission, please contact:  
Elizabeth at 412-594-2376.**

<b>To:</b>	<b>Fax Number</b>	<b>Confirming Telephone Number</b>	<b>Client/Matter Number</b>
<b>Lois Greene</b>	<b>415-744-1917</b>		<b>02402/70169</b>

**Comments/Message:**

# LEBOEUF, LAMB, GREENE & MACRAE L.L.P.

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

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PITTSBURGH, PA 15222-1437

(412) 594-2300

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WRITER'S DIRECT DIAL  
(412) 594-2357

September 22, 2000

LONDON  
ALCOA-BASED  
MULTI-NATIONAL PARTNERSHIP

PARIS

BRUSSELS

MOSCOW

RIYADH  
AFFILIATED OFFICE

TASHKENT

BISHKEK

ALMATY

BEIJING

*Via Facsimile & Overnight Mail*

Lois Greene, Case Developer (SFD-7-B)  
U S EPA, Region IX  
75 Hawthorne Street  
San Francisco, CA 94105-3103

**RE: Operating Industries, Inc. Superfund Site**

Dear Lois

Thank for allowing additional time for Alcoa Inc. (formerly the Aluminum Company of America) ("Alcoa") to respond to Harrison Karr's September 8, 2000 letter. We have reviewed the three manifests that underlie EPA's allocation of 12,600 gallons to an entity identified as "Advance Structures". We have not been able to determine whether such a corporate entity existed or whether such entity was a subsidiary or other relation to Alcoa Inc.

Alcoa has not yet determined whether it will be entering into the consent decree now known as "CD-8". However, in the interest of moving this matter forwarded, Alcoa hereby requests that this 12,600 gallons be included in its allocated share. Alcoa is accepting this volume for purposes of settlement only. Alcoa notes that, even if an entity named "Advance Structures" existed and was a corporate relative of Alcoa Inc., Alcoa specifically reserves the right to argue that the facts are not sufficient to pierce the corporate veil to reach Alcoa Inc.

Please feel free to call me with any questions with this regard. Thank you for your patience and assistance.

Very Truly Yours,

  
Patrick H. Zaepfel

**RELATED DE MINIMIS PARTY FORM**

Due Date: Wednesday, September 20, 2000

Response is voluntary. If you choose to respond, please do so no later than Wednesday, September 20, 2000.

Your Company's Name (correct if needed):

ALCOA INC., FORMERLY THE  
Aluminum Company of America

Primary Contact Name & Phone Number:

(If the contact named above is different than the addressee of this letter, please provide full name, address, telephone & fax numbers, and email address. Each company may designate only one primary contact.)

Patrick H. Zaepfel  
LeBoeuf, Lamb, Greene & MacRae  
One Gateway Center  
420 Fort Duquesne Blvd., Suite 1600  
Pittsburgh, PA 15222  
(412) 594-2357

THE FOLLOWING ARE THE *DE MINIMIS* GENERATORS AT THE OIL SITE THAT THE EPA BELIEVES MAY BE RELATED TO YOUR COMPANY. FOR EACH OF THESE COMPANIES, PLEASE INDICATE IN THE RIGHT-HAND COLUMN WHETHER:

- (a) your company wishes to resolve its liability for the related de minimis generator as part of the final remedy settlement (i.e. combine the volumes);
- (b) your company would prefer to address liability for the related de minimis generator later in a de minimis administrative order on consent; or
- (c) you believe that the listed generator(s) are not related to your company.

Name of De Minimis Party	Waste Pickup Location(s)	Volume of Waste (gallons)	PLEASE DESIGNATE THE ACTION REQUESTED BY YOUR COMPANY -- (a), (b), or (c) -- FOR EACH RELATED PARTY
Advance Structures	801 Royal Oaks Monrovia CA	12600	a*

\* Alcoa has not yet determined whether it will enter into CD-8, but requests that this volume be incorporated into its allocated share in any event.

Signed:



Date: 9/22/00

By:

Patrick H. Zaepfel

Title:

Attorney, LeBoeuf, Lamb, Greene &amp; MacRae, LLP

Return to:

Lois Green, Case Developer  
Mail Code SFD-7-B, U.S. Environmental Protection Agency  
75 Hawthorne St., San Francisco, California 94105-3103

Thank you for your cooperation.